

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 1265 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

=====

1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

VASRAM DEVARAJ

Versus

STATE OF GUJARAT

Appearance:

MR YN OZA for Petitioners

PUBLIC PROSECUTOR for Respondent No. 1

CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 18/04/98

ORAL JUDGEMENT

1. Heard Mr.Y.N.Oza appearing for petitioners.
Rule. Ld.APP Mr.N.D.Gohil appears and waives service of rule on behalf of respondent-State. The petitioners have prayed for modification of condition imposed by this court while passing the order granting bail dated 19.11.1997 in the matter of Cr.Misc.A No.5032/97.

According to the condition imposed by the above stated order the petitioners are directed not to enter into the limits of Dhrangadhra and Halvad taluka without prior permission of the Sessions Judge, Surendranagar till the trial is over and they will also get their presence marked on every Monday before the Muli PS except on the day when they are required to appear before the court of sessions judge in connection with the matter.

2. It is submitted on behalf of petitioners that despite lapse of pretty long time the trial is still likely to take some more time and the petitioners being agriculturists are required to work in the field for cultivation of crop in ensuing monsoon season . That the petitioners are having agricultural land in the said district of Surendrnagar and Halvad taluka and thereby said condition is likely to cause serious hardship to their gainful activity. In these circumstances the said condition be deleted or modified.

3. In the facts and circumstances it would be just and proper that if the petitioners are permitted to enter the limits of Dhrangadhra and Halvad taluka for the purpose of agricultural activities on filing undertaking with the concerned police authority that they shall maintain law and order and shall not commit any breach of peace and report to the Halvad police station in modification of said condition of the order. Rule is made absolute accordingly. No costs. DS permitted.

...